

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2000

Application or Docket Number

09832553

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	6	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	6 minus 20 =	
INDEPENDENT CLAIMS	4 minus 3 =	1
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	31	20	11
Independent	8	4	4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	23	31	0
Independent	3	8	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

27/106

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	23	31	1
Independent	3	8	1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE		RATE	FEE
BASIC FEE	355.00	OR	BASIC FEE	710.00
X\$ 9=		OR	X\$18=	
X40=	40	OR	X80=	
+135=		OR	+270=	
TOTAL	395	OR	TOTAL	

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=	99	OR	X\$18=	
X40=	180	OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE	259	OR	TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=		OR	X\$18=	
X40=		OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=	/	OR	X\$18=	/
X40=	/	OR	X80=	/
+135=	/	OR	+270=	/
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

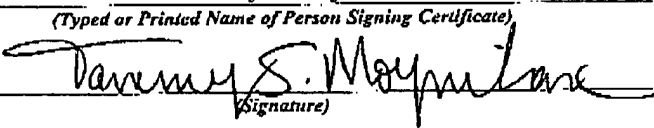
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

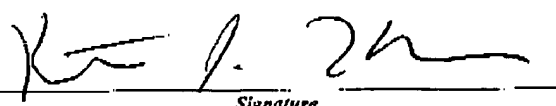
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

United States Patent and Trademark Office
- Sales Receipt -

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. HLB-001CV
Applicant(s): Richard A. Holub			
Application No. 09/832,553	Filing Date 04/11/2001	Examiner Hau Nguyen	Group Art Unit 2676
Invention: METHODS AND APPARATUS FOR CALIBRATING A COLOR DISPLAY			
TOTAL = 2 pages			
<p>I hereby certify that this <u>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-7787</u>)</p> <p>on <u>FEBRUARY 7, 2006</u> (Date)</p> <p style="text-align: center;"><u>Tammy S. Moynihan</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: center;"><u></u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)				Docket No. HLB-001CV				
In Re Application Of: Richard A. Holub								
Application No. 09/832,553	Filing Date 04/11/2001	Examiner Hau Nguyen	Customer No. 024,902	Group Art Unit 2676	Confirmation No. 2004			
Invention: METHODS AND APPARATUS FOR CALIBRATING A COLOR DISPLAY								
<u>COMMISSIONER FOR PATENTS:</u>								
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>08/19/2005</u> above-identified application. <div style="text-align: center; font-size: small;">Date</div>								
The requested extension is as follows (check time period desired): <div style="display: flex; justify-content: space-around; align-items: flex-start;"><div><input type="checkbox"/> One month</div><div><input type="checkbox"/> Two months</div><div><input checked="" type="checkbox"/> Three months</div><div><input type="checkbox"/> Four months</div><div><input type="checkbox"/> Five months</div></div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"><div>from: <u>11/19/2005</u> <div style="text-align: center; font-size: x-small;">Date</div></div><div>until: <u>02/19/2006</u> <div style="text-align: center; font-size: x-small;">Date</div></div></div>								
The fee for the extension of time is \$1,020 and is to be paid as follows: <div style="margin-top: 5px;"><input type="checkbox"/> A check in the amount of the fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1101 <input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1101 <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</div> <p style="margin-top: 10px;">WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>								
 <div style="text-align: center; font-size: x-small;">Signature</div> <p>Kenneth J. LuKacher Attorney for Applicant Registration No. 38,539 South Winton Court 3136 Winton Road South, Suite 301 Rochester, New York 14623 Telephone: 585-424-2670 Facsimile: 585-424-6196</p>			Dated: February 7, 2006					
K.JL/tsm CC:			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ <div style="text-align: center; font-size: x-small;">(Date)</div></td></tr><tr><td style="padding: 5px;">_____ <div style="text-align: center; font-size: x-small;">Signature of Person Mailing Correspondence</div></td></tr><tr><td style="padding: 5px;">_____ <div style="text-align: center; font-size: x-small;">Typed or Printed Name of Person Mailing Correspondence</div></td></tr></table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ <div style="text-align: center; font-size: x-small;">(Date)</div>	_____ <div style="text-align: center; font-size: x-small;">Signature of Person Mailing Correspondence</div>	_____ <div style="text-align: center; font-size: x-small;">Typed or Printed Name of Person Mailing Correspondence</div>
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_____ <div style="text-align: center; font-size: x-small;">Signature of Person Mailing Correspondence</div>								
_____ <div style="text-align: center; font-size: x-small;">Typed or Printed Name of Person Mailing Correspondence</div>								

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No: 09/832,553 Confirmation No. 2004
Filed: April 11, 2001
Applicant: Holub
Title: METHODS AND APPARATUS FOR CALIBRATING A COLOR
DISPLAY
Examiner: Hau Nguyen Art Unit: 2676
Attorney Docket: HLB-001EV

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

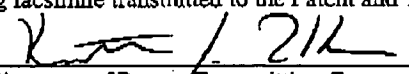
INTERVIEW SUMMARY

Dear Sir:

This is a summary of the Examiner Interview held at the U.S. Patent Office and telephonic communications thereafter, as requested by Examiner Nguyen by telephone on February 7, 2006 with the undersigned Applicant's Attorney. Applicant at the Examiner Interview held at the U.S. Patent Office on November 16, 2005 presented arguments with respect to the patentability of claims over U.S. Patent No. 6,611,249 (Evanicky et al.), the restriction requirement, and the 35 U.S.C. 112 rejection of Claim 36. Examiner Blackman agreed to enter an Examiner's Amendment to amend the application as follows: add "physical" before each occurrence of "reference" in Claims 19, 23, and 39; remove language "on a surface" and "on said surface" of Claim 19, remove language "on a surface" and "quantity or offset providing the color of said display" from Claim 39; cancel Claims 43-46 without prejudice to a possible Divisional Application; and to show citations noted by Applicant in incorporated by reference parent applications for subject matter of Claim 36. Examiner Blackman stated at the Interview that the Examiner's Amendment would overcome the rejection upon Evanicky et al., and rejoin Claims 39-42 with Claims 19-26 and 32-38. An Eighth Supplemental Information Disclosure Statement was provided at the Examiner Interview to Examiner Blackman, who stated such would be entered.

Certificate of Facsimile Transmission

I certify that this document is being facsimile transmitted to the Patent and Trademark Office (Fax # (571) 273-7787) on February 7, 2006.


Signature of Person Transmitting Correspondence

Kenneth J. Lukacher
Typed or Printed Name of Person Transmitting Correspondence

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About two weeks after not receiving the Examiner's Amendment, Applicant's Attorney was unable to contact Examiner Blackman by telephone, as his phone number was no longer assigned. A call through the USPTO Helpline discovered that Examiner Blackman left the U.S. Patent Office. A phone message was then left with Matthew Bella, Supervisor Examiner to Examiner Blackman, to request assistance with the matter. On December 8, 2005, Examiner Bella called Applicant's Attorney stating that he will address the status of the Application in view of Examiner Blackman's departure from the U.S. Patent Office. In a follow-up call with Examiner Bella on December 12, 2005, Applicant's Attorney discussed what Examiner Blackman agreed upon in the Examiner's Amendment, as set forth in the first paragraph herein, and patentability of claims over Evanicky et al., and Examiner Bella stated that entry of the Examiner's Amendment and further search would be handled by a new Examiner. As requested by Examiner Bella, Applicant's Attorney on December 12, 2005 provided by facsimile to Examiner Bella a copy of the Eighth Supplemental Information Disclosure Statement along with copies of referenced items.

On December 15, 2005, Examiner Hau Nguyen called Applicant's Attorney, to inform him that he was the new assigned Examiner and that the rejections based on Evanicky et al. were now withdrawn, and to request an explanation of patentability of the claimed invention over U.S. Patent No. 5,739,809 (McLaughlin et al.). Applicant's Attorney in separate phone calls to Examiner Nguyen and Examiner Bella explained that step (d) of Claim 19 was absent in McLaughlin et al.

On December 21, 2005, Examiner Bella in a telephone call with Applicant's Attorney provided a status update in which no prior art to the present Application was yet found by Examiner Nguyen which in combination with McLaughlin et al. would find Claim 19 unpatentable.

Accordingly, a Notice of Allowance is respectfully requested. If required for entry of this communication, Applicant hereby petitions under 37 CFR 1.136(a) for a three-month extension of time and authorizes the \$1,020.00 petition fee to be charged to deposit account no. 50-1101.

Dated: February 7, 2006

Respectfully submitted,



Kenneth J. LuKacher
Attorney for Applicant
Registration No. 38,539

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